

FROM MERCHANT & GOULD

(TUE) 5.22' 01 12:45 ET. 12:44/NO. 4260369710 P 1

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Merchant & Gould

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A Professional Corporation

Fax Transmission | May 22, 2001

TO: Assistant Commissioner for Patents
Attn: Miss Stokes/OIPE
Patent Examining Corps
Facsimile Center
Washington, D.C. 20231

FROM: Natalie Kadievitch

OUR REF: 13148.0001-USU1
TELEPHONE: 612.336.4706

Total pages, including cover letter: 6

PTO FAX NUMBER 1-703-308-7751

If you do NOT receive all of the pages, please telephone us at 612.336.4667, or fax us at 612.332.9081.

Document Transmitted: Request for Withdrawal as Attorney of Record.

Applicant: Allay Technology
Serial No.: 09/733,338
Filed: December 8, 2000
Patent No.: Pending
Issue Date: Pending
Our Ref. No.: M&G 13148.01-US-U1

Please charge any additional fees or credit overpayment to Deposit Account No. 13-2725.

MERCHANT & GOULD P.C.
P.O. Box 2903, Minneapolis, MN 55402
(612) 332-5300

By: *Natalie D. Kadievitch*
Name: Natalie Kadievitch
Reg. No.: 34,196

I hereby certify that this paper is being transmitted by facsimile to the U.S. Patent and Trademark Office on the following date.

Timothy Lee
Timothy Lee

5/22/01
Date

PATENTIN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Allay Technology

Serial No.: 09/711138

Filed: December 8, 2000

Patent No.: N/A

Examiner: Unknown

Group Art: Unknown

Docket No.: 13148.01-US-U1

Issue Date: N/A

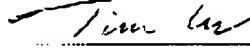
Title: SYSTEM, METHOD, AND PROCESS FOR ANALYSIS OF PATIENT
TREATMENT PROTOCOLS

I hereby certify that this paper is being transmitted by facsimile to the U.S. Patent and Trademark Office on the following date.

Date

5/22/01

Tim Lee

REQUEST FOR PERMISSION TO WITHDRAW AS ATTORNEYAssistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

Natalie Kadievitch, the attorney authorized to sign and is signing below on behalf of all attorneys identified by name in the Combined Declaration and Power of Attorney signed and submitted with the application herein, respectfully requests permission to withdraw from all further responsibility in this case in accordance with 37 C.F.R. § 1.36.

1. The last known mailing address of the client is:

Dr. Karla Joyce
Allay Technology
3470 North Lexington
Shoreview, MN 55126

2. The reasons for our request are as follows:

- A. The client has an outstanding balance on an unpaid bill and has refused to pay money due and owing for the drafting and prosecution of the application, including payments for legal fees and PTO fees.
- B. Numerous attempts have been made to collect the amounts due and owing, with no result.
- C. The foregoing reasons are believed to be valid grounds for permissive withdrawal under 37 C.F.R. §10.40(c)(iv) and/or (vi).

ALLOWANCE OF TIME FOR CLIENT TO ACT

3. There are at least 30 days between the date of the application for withdrawal and any expiration date of a time period for response without a possible extension period.

NOTIFICATION OF CLIENT

4. In accordance with 37 C.F.R. §10.40(a), a copy of this request, including attachments, as well as all papers and property in the attorney's file concerning the prosecution of the application, have been delivered to the applicant.

NUMBER OF COPIES OF REQUEST

5. The request is being sent by facsimile in triplicate. A copy of this request is being forwarded to the client.

SIGNATURE OF WITHDRAWING ATTORNEY

6. Signature of the attorney withdrawing:

Respectfully submitted

By Attorney

MERCHANT & GOULD, P.C.
P.O. BOX 2903
Minneapolis, MN 55402

Date May 21, 2001

Natalie A. Kadievitch
Natalie Kadievitch
Reg. No. 34,196

K:\CLREC\WD\WD FORMS\REQ TO WD - PAT PEND.DOC



FROM MERCHANT & GOULD

(TUE) 5.22' 01 12:45 ST. 12:44/NO. 4260369710 P 5

Merchant & Gould

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A Professional Corporation

May 22, 2001

Allay Technology
Dr. Karla Joyce
3470 North Lexington
Shoreview, MN 55126

Re: Withdrawal of Representation/File Transfer
Our Ref.: M&G 13148.0000-WD

Dear Dr. Joyce:

In light of your inability to make payment on your outstanding account balance, our Credit and Collection Committee has determined that it is necessary to terminate our representation of Allay Technology.

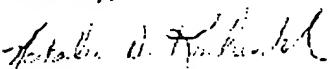
We have filed a Request for Withdrawal as Attorney with the U.S. Patent and Trademark Office regarding your pending patent (13148.01USU1). Copies of the withdrawal papers are enclosed herewith.

We are returning your original files as listed in Exhibit A. We have not retained copies of these materials. We advise that you immediately seek other counsel to ensure that your rights are retained. We have also included a docket report to assist you and your new counsel to respond to upcoming deadlines. Failure to respond as required to these deadlines could result in the loss of your intellectual property rights. We have removed these deadlines from our docket system.

Please acknowledge receipt and assume responsibility for these files by signing and returning the attached copy of this letter.

If you should have any questions, please do not hesitate to contact me.

Sincerely,



Natalie Kadievitch

Minneapolis/St. Paul
Denver
Seattle
Atlanta

FROM MERCHANT & GOULD

(TUE) 5.22.01 12:45 12:44/NO. 4260369710 P 6

Dr. Karla Joyce

May 22, 2001

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Enclosures: Files
File List (Exhibit A)
Requests for Withdrawal as Attorney
Docket Report

I hereby acknowledge receipt and responsibility of the files on the enclosed list.

Date: _____

Signed: _____